

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

IN RE: AMY RUTH DIETRICH DEBTOR	BANKRUPTCY NO. 17-13136 CHAPTER NO. 13
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**ORDER TO SELL REAL ESTATE LOCATED AT 432 PRESTON ROAD,
WERNERSVILLE 19565, BERKS COUNTY, PENNSYLVANIA, FREE AND
CLEAR OF LIENS AND ENCUMBRANCES AND TO PERMIT
DISTRIBUTION OF SALE PROCEEDS**

AND NOW, upon consideration of the Debtor's Motion to Sell Real Estate Free and Clear of Liens and Encumbrances, and to Permit Distribution of Sale Proceeds ("Motion"), and after notice and opportunity for hearing,

IT IS HEREBY ORDERED that the Debtor has satisfied this Court that the proposed sale is to a good faith purchaser for a fair and reasonable consideration that is in the best interest of the bankruptcy estate and that the Debtor is therefore authorized to sell, free and clear of all liens and encumbrances, the real property owned by the Debtor located at 432 Preston Road, Wernersville 19565, Berks County, Pennsylvania to Kathy J. Messner for the sum of \$167,500.00 in accordance with the terms of the Agreement of Sale attached to the Motion as Exhibit A, and

IT IS FURTHER ORDERED that the distribution as proposed in the Motion is hereby approved including the amount of \$1,500.00 to be held by the title agency to pay Debtor's counsel's legal fees subject to Bankruptcy Court approval in conformity with in In re Meade Land and Development, 527 F.2d 280 specifically as follows and in this Order:

- a. All real estate taxes and other obligations owed by the Movant that are a lien on the Premises pursuant to the law of the Commonwealth of Pennsylvania or any of its political subdivisions or agencies.
- b. The usual and customary costs of settlement paid by seller pertaining to the transfer of real estate in Berks County, Pennsylvania, including but not limited the realty transfer tax, if any.
- c. The Broker's commission of 6.0% of the Sale Price AND \$495.00, or as otherwise determined by the Court.
- d. The first mortgage holder, JPMorgan Chase Bank, National Association (Chase Home Finance), will be paid in full subject to a proper payoff quote at the time of closing or that any sale short of full payoff will be subject to JPMorgan Chase Bank, National Association's final approval; AND closing is required within 30 days of the payoff quote date or a new payoff is required within 30 days of closing.

- e. The second mortgage holder, M&T Bank, will be paid in full out of the proceeds of the sale pursuant to a valid pay-off quote at the time of closing.
- f. The Secured Judgment Lien holder (Docket #15-13519), Absolute Resolutions VI, LLC, will be paid in full out of the proceeds of the sale pursuant to a valid pay-off quote at the time of closing.
- g. The amount of \$1,500.00 to be held by the title agency to pay Debtors' Counsel legal fees subject to Bankruptcy Court Approval.
- h. The Debtor, Amy Ruth Dietrich, pursuant to exemption d(1) which is \$20,000.00. However, it is estimated that the net proceeds to seller will be \$15,800.63.
- i. Any Chapter 13 Trustees commissions due and owing;
- j. Any remaining amount to be distributed according to the bankruptcy order of distribution believed by the Debtor to be any general unsecured claims pro rata.

BY THE COURT:

Richard E. Fehling
United States Bankruptcy Judge